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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|-------------------------|---------------------|------------------|
| 10/820,979 | 04/07/2004 | Sean Christopher Endler | 81490 7114 | 9035 |
| 37123 7590 04/13/2009 FITCH EVEN TABIN & FLANNERY 120 SOUTH LASALLE STREET SUITE 1600 CHICAGO, IL 60603-3406 | | | | |
| EXAMINER THERIAULT, STEVEN B | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 2179 | | | | |
| MAIL DATE | | DELIVERY MODE | | |
| 04/13/2009 | | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | |
|---|------------------------|---------------------|
| Response to Rule 312 Communication | Application No. | Applicant(s) |
| | 10/820,979 | ENDLER ET AL. |
| | Examiner | Art Unit |
| | STEVEN B. THERIAULT | 2179 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 03 April 2009 under 37 CFR 1.312 has been considered, and has been:

- a) ☐ entered.
- b) ☒ entered as directed to matters of form not affecting the scope of the invention.
- c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

- d) ☐ disapproved. See explanation below.
- e) ☐ entered in part. See explanation below.

The examiner contacted applicant regarding allowed claim 17 and a 101 issue with the claim. The system claim was interpreted as not positively reciting a hardware element. The amendment to the claim of adding the input and output interfaces, that are disclosed in figure 1 and Para 23 of the specification, refer to connections on the physical hardware device to allow input and output devices via user input to interact with the displayed interface. Therefore, a hardware element is now recited and eliminates the 101 issue for the claim.

/Steven B Theriault/
Primary Examiner
Art Unit: 2179